



## CONSULTANT SERVICES

### ENVIRONMENTAL AND SOCIAL PERFORMANCE

#### **A. Introduction**

The Millennium Challenge Corporation (MCC) is a U.S. Government corporation whose mission is to provide assistance that will support economic growth and poverty reduction in carefully selected developing countries that demonstrate a commitment to just and democratic governance, economic freedom, and investments in their citizenry. For more information on the MCC, please visit [www.mcc.gov](http://www.mcc.gov).

#### **B. Background**

On January 23, 2003, the United States established the Millennium Challenge Corporation (MCC), an innovative foreign assistance program designed to reduce poverty by promoting sustainable economic growth. MCC, a U.S. government corporation, is based on the principle that aid is most effective in countries that promote good governance, economic freedom, and investments in people. Key MCC operating principles relating to the award of grants include emphasis on economic impact, reward for performance, partnership with recipient countries, and focus on results. Eligible countries are invited to develop and submit grant proposals to MCC for consideration. MCC will seek to enter into a Compact for assistance with those countries that submit quality proposals for poverty reduction through economic growth. All proposed projects and activities are subjected to MCC's comprehensive project appraisal process prior to approval of a Compact, including the requirement for an environmental and social review. Once a Compact is signed and has entered into force, MCC continues to conduct reviews, analyses and assessments in consultation with the host country accountable entity and its implementing partners on an as-needed basis to carry out post-Compact oversight responsibilities.

MCC recognizes that the pursuit of sustainable economic growth and a healthy environment are related. Economic growth that doesn't adequately address the associated risks of environmental degradation can leave the poor particularly vulnerable. MCC's Environmental and Social Performance (ESP) team works with partner countries to integrate internationally-accepted principles of environmental and social sustainability into the design and implementation of compacts. In collaboration with MCC, partner countries are striving to achieve sustainable economic development through their compact-funded activities while at the same time minimizing environmental and social risks and enhancing environmental and social benefits.

#### **C. Scope**

The Consultant shall support MCC's ESP team members in their efforts to assess environmental and social (including resettlement) impacts, risks, and opportunities associated with compact development and implementation (including compact closure). MCC expects to award multiple contracts through this solicitation. Each contract may include a period of performance of up to five (5) years.

## **D. Country Assignment**

MCC shall require consultant services in MCC eligible countries – both threshold and Compact. MCC reserves the right to assign particular Call Orders multiple MCC eligible countries as appropriate.

## **E. Compact Overview**

MCC requires consultant services to support MCC's ESP team to assess environmental and social (including resettlement) impacts, risks, and opportunities associated with the development and implementation (including compact closure) of MCC-supported projects. MCC expects to award multiple contracts through this solicitation. Each contract may include a period of performance of up to five (5) years. The period of performances may be executed via multi-year or option year protocols.

## **F. Tasks**

The Consultant may be asked to do any or all of the following tasks:

**Due Diligence:** The Consultant shall identify major environmental and social (including resettlement) risks and opportunities associated with the investments being considered by MCC. The Consultant shall propose mitigation measures for any environmental and social risks/impacts identified, along with recommendations for enhancing project design and/or benefit streams from an environmental and social perspective. The Consultant will be requested to conduct site visits to proposed project areas and carry out a review of existing documentation to identify the range of relevant environmental and social issues potentially associated with the project. The Consultant will be expected to advise MCC on any additional environmental and social studies that maybe required as a part of MCC's due diligence and/or cost implications for assuming any of the Consultant's proposed mitigation or enhancement measures.

**Compact Oversight:** The Consultant shall assist MCC in conducting oversight of project implementation and performance from an environmental and social perspective. The Consultant shall advise MCC by conducting periodic (typically quarterly) visits to project sites and carry out desk reviews to provide assurance that funding should be continued and that projects are on track to meet agreed-upon specifications, schedules, milestones, and budgets related. Additionally, the Consultant shall assist in identifying potential unforeseen impacts of implementation and provide recommendations for resolution.

**General Technical Advisory Support:** In addition to above, the Consultant may be asked to provide general technical advisory support, including:

- Assist MCC in determining requirements and scope for Environmental and Social Management Systems (ESMS); Environmental and Social Impact Assessments (ESIAs); other environmental analyses; Resettlement Action Plans (RAPs), and/or Environmental and Social Management Plans (ESMPs) under MCC Environmental Guidelines, MCC Gender Policy and international best practices;
- Review technical documents (e.g., preliminary design documents, feasibility and design studies, ESIAs, RAPs, Livelihood Restoration Plans, etc.) for compliance with the International Finance Corporation (IFC) Performance Standards and provide recommendations as necessary;
- Assess the coverage or consistency of local environmental laws and regulations as compared to MCC Environmental Guidelines and international best practices;
- Provide guidance and oversight to MCA counterparts in environmental and social Program Management, QA/QC, construction works, FIDIC contracting and other similar topics;

- Provide appropriate guidance, tools, and assistance and, where necessary, help to strengthen institutional capacity and policies to integrate internationally accepted principles of environmental and social sustainability and social equity into the design and implementation of MCC-funded projects;
- Draft terms of reference (TOR) for ESIA/ESMPs and RPFs/RAPs where such studies are required by MCC;
- Provide technical input and support (1) in the development of a stakeholder engagement process that ensures that project design and mitigation programs incorporate stakeholder priorities and concerns, and (2) that facilitates the development of a stakeholder engagement plan;
- Review implementation plans and work plans developed by Country Teams and related implementing entities as they pertain to environmental, social and resettlement activities, providing advice to MCC in terms of the appropriateness of same, from a technical perspective. This advice will provide MCC with the information needed to make a decision on whether or not to approve the implementation plans for their subsequent execution;
- Review draft tender documents and contracts for consistency with MCC Environmental Guidelines and international best practices;
- Review proposal evaluation reports from technical panel and procurement agent;
- Review proposed implementing entity arrangements and cooperation agreements between the Core Team and other entities as they pertain to the projects;
- Review safety design features, recommendations and applicable programs;
- Review qualifications of key Core Team technical staff prior to their engagement;
- Provide general technical advice and assistance to MCC related to the proposed Compact;
- Perform evaluations on capacity of the Core Team, its implementing entities, and other stakeholders involved in Compact implementation and provide recommendations for capacity building and improvements where applicable;
- Provide general technical advice and assistance on the development and implementation of training programs on environmental and social management and IFC Performance Standards for Core Team, implementing entities, and others as necessary; and
- Other requirements specific to environment, resettlement, and social activities of the Compact as necessary.

## **G. Technical Directive:**

To support MCC in the flexible and timely manner needed to meet the evolving needs of Compact development and implementation, tasks under this statement of work will be communicated in writing to the Consultant by the Contracting Officer's Representative and/or Project Monitor (COR/PM) each time the consultant's services are needed over the course of this contract. The technical directive will, in one paragraph to two pages, provide clear and concise instructions on tasks and deliverables requested of the consultant, as well as expected level of effort. Should the Consultant be expected to travel to an MCC partner country, a detailed scope of work will be provided at least two weeks prior to travel and include specified deliverables. The Consultant shall acknowledge acceptance of the technical directive in writing (email is acceptable) to the COR/PM. The consultant shall not conduct any specific work under this contract unless such a technical directive is issued and acknowledged in writing. The consultant will notify the PM/COR if the tasks appear to fall outside the scope given herein. The consultant is expected to submit electronic copies of all written deliverables in English and to brief MCC staff verbally upon request. No technical directive shall imply any additional costs to the United States Government (USG) beyond the amount allowed for in the initial statement of work; however, this statement of work may be amended to reflect additional costs associated with appraisal and/or oversight requirements in additional countries.

## **H. Deliverables**

The Consultant shall assist MCC in conducting project due diligence, appraisal and implementation oversight activities in MCC eligible countries as needed, and Washington, DC. The Consultant will be provided instruction for each deliverable – in writing - on a task by task basis which will include task required and deadline for deliverable.

## **I. Acceptance Criteria**

Deliverables will be evaluated according to the following criteria:

- Thoroughness and timeliness in complying with all of the elements in the tasks specified.
- Quality and clarity of analyses and work produced.
- Timeliness and efficacy of communications with relevant counterparts at MCC, MCA, and other relevant organizations.
- All reports are to be submitted in English in hard and electronic copy (in MS Word), with tables, data and calculations in MS Excel.

## **J. Period and Place of Performance**

These consultancies are for up to five years.

These Call Order are intermittent period of performances thus, the level of effort shall be based upon the number of countries and the support required for each effort.

## **K. Qualification of Consultant**

1. Environmental, Social and/or resettlement expertise in one or more of the following sectors is essential:
  - Infrastructure (e.g., roads, dams and reservoirs, water and waste treatment facilities, port facilities, infrastructure planning, schools and education related infrastructure);
  - Agriculture (e.g., irrigation systems, processing facilities);
  - Land (e.g., land use planning, and zoning; cultural property);
  - Natural resource management (protected areas, biodiversity conservation);
  - Involuntary resettlement (e.g., land takings, and livelihood restoration);
  - Social science (e.g., gender analysis; social impact analysis; public participation); and
  - Occupational and/or environmental health and safety.
2. Proven experience identifying major environmental, social, and/or resettlement impacts, risks, and opportunities associated with large infrastructure projects during project development/design and proposing mitigation measures as necessary along with recommendations for enhancing project design and/or benefit streams from an environmental, social, and/or resettlement perspective.
3. Demonstrated experience carrying out site visits to project areas to provide assurance that funding should be continued and that projects are on track to meet agreed-upon specifications, schedules, milestones, and budgets related.
4. International experience in developing countries, particularly in Africa.
5. **Minimum qualifications:** Master's Degree – Ideal education in an appropriate environmental and/or social field.
6. French, Spanish and/or Portuguese skills **highly desirable**.



#### **L. Conflict of Interest**

The consultant shall be precluded from bidding on work and services (design, assessment, construction and supervision) to be procured by the local MCA accountable entity or using funds advanced under a Compact in the relevant country, unless the consultant submits a mitigation plan sufficient to ameliorate any conflict of interest pursuant to the rules applicable to the procurement process.

#### **M. Subcontracting**

The consultant is authorized to subcontract data collection, data preparation, social and gender analysis, and related services as needed. The overall costs for subcontracting shall not exceed 25% of the consultant's total negotiated unloaded direct labor cost.

#### **N. Other requirements**

International travel will be required. The Consultant may be requested to mobilize on a short notice and will be expected to deliver high quality finished products in a timely manner.

#### **O. Timing and Reporting**

All formal communication with MCC, including reports, will be submitted to the COR/PM. The COR/PM for this requirement will be identified via separate correspondence.

The COR/PM will have technical responsibility for monitoring the contractor's performance. The COR/PM will review and evaluate the contractor's performance, and also will coordinate any communications with relevant counterparts and other donor agencies and organizations.

Any changes in the terms of the Call Order will be made in writing and approved by the Contracting Officer. No representation of the COR/PM shall serve as a basis for an alteration in the general scope of this Call Order or of the terms and conditions of the Call Order unless confirmed in writing by the Contracting Officer. The contractor must communicate with the Contracting Officer on all matters that pertain to the Contract terms. Proceeding with the work without proper contractual coverage could result in nonpayment for that work.

The designated Consultant shall be expected to coordinate with local authorities responsible for MCC Compact implementation as well as other donors, where relevant. However, designated Consultant would report directly to the designated COR/PM.

End of Statement of Work (SOW)